

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
SAN ANTONIO DIVISION**

<b>UNITED STATES OF AMERICA,</b>	§	
	§	
<b>Plaintiff,</b>	§	<b>CRIMINAL NO. SA-15-CR-169 OG</b>
	§	
<b>v.</b>	§	
	§	
<b>SIDNEY KIMBLE</b>	§	
<b>Defendant</b>	§	
	§	

**GOVERNMENT’S RESPONSE OPPOSING  
DEFENDANT’S MOTION TO ATTEND FUNERAL HOME**

The United States of America, by and through its undersigned counsel, hereby informs the Court that it opposes Defendant’s motion to attend his brother’s funeral.

***Attending Funeral is Against Marshal’s Policy***

The Defendant, Sidney Kimble, is currently in the custody of the U.S. Marshal’s Service and has pled guilty and is awaiting sentencing.

The Marshal's policy prohibits them from brining the Defendant to the actual funeral, because of the security risks involved in having a federal prisoner in Marshall's custody with the many persons, both related and unrelated to the Defendant who may be at a funeral.

***Procedure for attending the viewing a funeral home***

There is a Marshal’s service procedure for viewing a body at the funeral home, which has a cost of approximately \$550-\$750 which must be paid by the Defendant's family with a cashier's check. The Marshal's service would allow the Defendant to view the body at the funeral home, in the presence of the body and the members of the Marshal’s service. No other person, neither family nor friends would be permitted to share the time with the Defendant.

However, because of Defendant's history of assault and firearms arrests the Marshal's service has recommended against, and the Government opposes, ordering that the Defendant be allowed to go to the viewing.

Respectfully submitted,

RICHARD L. DURBIN, Jr.  
United States Attorney

/s/  
MATTHEW LATHROP  
Assistant United States Attorney  
Texas Bar No. 24060136

CERTIFICATE OF SERVICE

I hereby certify that on 21 March 2016, a true and correct copy of the foregoing instrument was electronically filed with the Clerk of the Court using the CM/ECF System which will transmit notification of such filing to the following CM/ECF participant:

Angela Saad

/s/  
MATTHEW LATHROP  
Assistant United States Attorney

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**ORDER DENYING DEFENDANT’S MOTION  
TO ATTEND FUNERAL HOME**

On this date the Court considered the Defendant Sidney Kimble’s “Committed Defendant's Motion To Allow Defendant to Attend Brother’s Funeral,” This court has Considered the Motion and the Government’s response and has decided to DENY Defendant’s Motion.

SIGNED and ENTERED this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
ORLANDO L GARCIA  
CHIEF U.S. DISTRICT JUDGE